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FM AMEMBASSY TOKYO  
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INFO RUEKJCS/SECDEF WASHDC PRIORITY  
RHEHAAA/THE WHITE HOUSE WASHINGTON DC PRIORITY  
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RULSDMK/USDOT WASHDC PRIORITY  
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RUCNDT/USMISSION USUN NEW YORK 3307

UNCLAS SECTION 01 OF 08 TOKYO 000098

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E.O. 12958: N/A

TAGS: [OIIP](#) [KMDR](#) [KPAO](#) [PGOV](#) [PINR](#) [ECON](#) [ELAB](#) [JA](#)

SUBJECT: DAILY SUMMARY OF JAPANESE PRESS 01/16/09

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- (1) Editorial: Japan should take positive diplomatic approach in response to Hillary pro-Japan policy

Delivering a speech before the Senate Foreign Relations Committee during her confirmation hearing, Secretary of State-designate Hillary Clinton expressed her resolve to renew the country's international leadership by using "smart power" including diplomatic, military and economic power, as well as cultural influence.

Her speech can be taken as the debut of "Hillary diplomacy" in effect. Senator Clinton emphasized that the incoming administration of President-elect Barack Obama would take a multinational approach as promised in his campaign, saying: "The U.S. cannot solve the most pressing problems on its own, and the world cannot solve them without the U.S." She then said that the U.S. would address problems by cleverly using its all power, with military power as a last resort.

In an apparent bid to draw a line between her ideas and the foreign policy of the President Bush administration, which had to pour its all energy into the war on terror, Clinton indicated a willingness to use international organizations and to address climate change. She also stressed the need to settle (Middle East issues) from an overall viewpoint, taking up the tangle of interests of countries in the region, including Iraq, Afghanistan, Pakistan, and Iran. Anticipating that her ideas and eagerness will contribute to make America strong and reliable again, we would like to closely watch her diplomatic efforts.

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But what we need now are not smart public pledges but pragmatic diplomatic efforts. In the U.S. presidential election campaign, Senator Clinton criticized President-elect Obama's call for direct talks with dictatorships as "immature," but in the hearing, she did not deny the possibility of direct talks with North Korea and Iran. As shown by the failure in the session of the six-party talks held late last year, problems with North Korea and Iran will not be easily settled. Those countries do not listen to what others say. We expect Clinton to take a well-balanced approach of dialogue and pressure. Needless to say, the new administration must not forget the issue of Japanese nationals abducted by North Korea.

Clinton emphasized that the next administration will continue to place emphasis on the Japan-U.S. alliance, saying: "The alliance is essential in order to maintain peace and prosperity in Asia and is based on common values and benefits." In the election campaign, she once said, "U.S.-China relations are of primary importance," but in the hearing, Clinton said: "The future of U.S.-China relations depends on China's moves," indicating that she would urge China to take responsible action.

Strengthening and developing the Japan-U.S. alliance are naturally important for Japan in Asia, which is going through turbulent changes. The relationship of "dependency" that marked that under the Bush administration will not pass muster under the Obama administration. The two countries are expected to establish a more dispassionate relationship. It is likely that the U.S. will urge Japan to offer more specific contributions in helping reconstruct Afghanistan and combating pirates in waters off Somalia. Instead of only making requests to the U.S., Japan as its reliable ally should take a positive diplomatic approach.

(2) Foreign Minister Nakasone: Secretary of State-designate Clinton's emphasis on Japan-U.S. relations was "reassuring"

JIJI PRESS (Internet) (Full)  
January 16, 2009

Foreign Minister Hirofumi Nakasone, meeting with the press this morning after a cabinet meeting, commented on Secretary of State-designate Clinton's statement, "The U.S.-Japan alliance is the cornerstone of U.S. foreign policy for the Asia region." He said: "It thought it was tremendously reassuring. For both countries to

display their leadership is indispensable for the stability and prosperity of the world, in my view. I have worked to strengthen the alliance."

(3) Obama era: In North Korea policy, pay serious attention to Japan's stances and requests

MAINICHI (Page 5) (Full)  
January 16, 2009

Editorial writer Tetsuo Nakajima

North Korea took a high-handed stance in a comment released on January 13 by a Foreign Ministry spokesman that went "Our nuclear weapons will become unnecessary when the U.S. nuclear threat is removed, and the U.S. nuclear umbrella covering South Korea is no longer in place." The spokesman said, "Unless that situation comes about,) we will never show our nuclear weapons first."

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The statement also demands if North Korea's report on its nuclear development program is to be verified, inspections should take place also of U.S. military bases in South Korea and of armaments that can transport nuclear weapons there, as well.

Of course, most observers think that with the inauguration of the Obama administration just ahead, North Korea is setting the stage here for future talks with the U.S. by asking too much. However, the DPRK may be serious. There is lingering concern that Pyongyang may never give up its nuclear weapons, unless its present regime collapses.

A confirmation hearing to consider Senator Hillary Clinton's nomination to become secretary of State took place in Washington the same day. Senator Clinton said that she is now looking through the records of talks with that nation, hinting that she will deal with North Korea's nuclear issue through the six-party talks and direct dialogue. Basically, she took a harsh stance, saying, "Our goal is to terminate North Korea's nuclear program."

There are some worrisome points, however. Clinton indicated a policy of preventing nuclear proliferation from starting in North Korea and Iran, stressing a stance of attaching importance to nuclear nonproliferation. So far, so good. However, if she means that it will be all right for the time being as far as nuclear technology does not fall into the hands of other countries or terrorist groups, then it would be troublesome for Japan.

Clinton during the hearing praised the Japan-U.S. alliance as the cornerstone of American foreign policy in Asia. However, in the question session, China was brought up many more times than Japan was. It is clear that U.S. interest is tilting toward China in terms of both the bright and dark aspects. The six-party talks, in which the U.S. and China are key players, form a framework for setting North Korea's nuclear development issue. Even so, Japan wants to make the six-party talks lead to a settlement of the abduction issue. Agreements reached so far in the six-party talks include a goal of normalizing ties between Japan and North Korea. However, the Japanese public would never accept the option for establishing diplomatic relations with a nuclear-capable North Korea amid a situation where the six-party talks had failed to make progress on the abduction issue.

Such being the case, we have no other choice but to continue our requests regarding the Obama administration's North Korea policy. To begin with, it must aim at making North Korea dismantle its weapons program in a complete and irreversible way. Leniency in the negotiations or agreements must be avoided.

We want the Obama administration to understand Japan's pain over the abduction issue and to play a role of urging North Korea to join talks with Japan. If it errs on this, friction like that which occurred in the last days of the Bush administration would once again occur.

(4) Kasumigaseki confidential: Distance growing between Prime Minister's office (Kantei) and Foreign Ministry

BUNGEI SHUNJU (Page 234 & 235) (Full)  
February 2009

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The presence of the Foreign Ministry has dwindled in the Prime Minister's Official Residence (Kantei). After the Aso administration was inaugurated, incumbent Deputy Vice Minister Chikao Kawai was suddenly sacked from the post of assistant deputy chief cabinet secretary. Relations between the ministry and Prime Minister Taro Aso are delicate indeed. The relationship between Aso and Administrative Vice Minister Mitoji Yabunaka is not so close, but instead it has grown rather distant.

Reportedly, visits to the Kantei by senior ministry officials, including Deputy Minister Kenichiro Sasae and Asian and Oceanian Affairs Bureau Director General Akitaka Saiki, are fewer in number than those of their predecessors. The situation implies the farsightedness of the ministry which has adjusted the timing in a cautious manner.

Under such circumstances, Aso reportedly has found former Deputy Press Secretary Tomohiko Taniguchi, currently an advisor to the ministry, useful, relying on him as a speech writer.

Taniguchi was picked by then Foreign Minister Nobutaka Machimura. At that time, Taniguchi was a senior staff member of Nikkei Business Publications Inc., which publishes the weekly magazine Nikkei Business. He is famous for his English capability. He once appeared on a BBC debate program when he was a correspondent in London. Aso, the replacement of Machimura as foreign minister, highly appreciated not only Taniguchi's English capability but also his ability to gather information. It is believed that the appointment of Taniguchi as an advisor to the ministry is in line with the intention of Aso, who likes to have unique information pipelines. We can say that the appointment of Taniguchi, who is not a Foreign Ministry bureaucrat, to an important post as an advisor indicates that there is the distance between Aso and the Foreign Ministry.

(5) Kasumigaseki confidential: If a DPJ-led government is launched,  
...

BUNGI SHUNJU (Page 235)  
February 2009

With the Aso administration's plummeting support rate in the polls, high-ranking bureaucrats are trembling with fear at the possibility of the Democratic Party of Japan (DP) taking the reins of government. The DPJ-led by Ichiro Ozawa intends to have all bureau director-level officials in the government offices submit their resignations if the party grabs power. Because of a shortage of talent, the DPJ will likely allow most ministries and agencies to reappoint their senior officials. However, in an attempt to give the impression of a change in government and its effort for breaking up the bureaucracy, the DPJ is expected to target the Finance Ministry and Foreign Ministry for reforming the bureaucracy.

Top Finance Ministry officials have served for the governments led by the Liberal Democratic Party. For example, Administrative Vice Minister Sugimoto served as a secretary to then Prime Minister Yoshiro Mori; and Budget Bureau Director General Tango, as secretary to then Prime Minister Junichiro Koizumi. If an Ozawa-led administration is launched before July when personnel changes are usually carried out in the Finance Ministry, the possibility is that the vice minister and candidates for the vice minister's post will be sacked.

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A rumor is going around that if this is the case, a private-sector person would be appointed as vice finance minister in a dramatic

way, or Budget Bureau Deputy Director General Shunsuke Kagawa, the only person in the ministry who has a communication channel to Ozawa, would be promoted to the vice minister's post. The reason is that Kagawa served as secretary to then Deputy Chief Cabinet Secretary Ozawa in the Takeshita cabinet.

In the Foreign Ministry, Deputy Minister Sasae and Deputy Vice Minister Kawai are candidates to succeed Vice Minister Yabunaka. Like Sugimoto, Sasae served as secretary to the Prime Minister Mori. How Sasae will be treated remains to be seen. Yabunaka could be retained in his current post, because he got acquainted with Ozawa when Ozawa was secretary general of the LDP. It is said that Yabunaka indirectly supported the Hosokawa administration's rice import liberalization policy.

For about last ten years, the Finance Ministry and Foreign Ministry have maintained influence by sending ace-officers to the Prime Minister's Official Residence (Kantei). However, if political change occurs, the senior officials of the two ministries could be removed from the front stage. It is a lucky break that both ministries did not send ace-officers to the Aso cabinet.

(6) Explosive found to be U.S.-made bomb used during Okinawa Battle

RYUKYU SHIMPO (Page 1) (Full)  
January 15, 2009

The explosion that took place yesterday morning at a construction site in the city of Itoman injured two persons seriously or slightly and shattered a nearby facility's windowpanes. Okinawa prefectural police concluded yesterday that the explosive that went off there was a dud bomb used during the Battle of Okinawa, given that a base detonating fuse was discovered at the site. According to government officials and police authorities, the discovered base fuse was made in the United States. The dud bomb is believed to be a U.S.-made 250-kilogram bomb, judging from the scale of its explosion. The Ground Self-Defense Force's 1st Combined Brigade, mobilized at the prefectural police's request, confirmed yesterday afternoon that the base fuse discovered at the site was made in the United States. Itoman Mayor Hirotsume Uehara revealed that magnetic prospecting had been little made for roadworks ordered by the city's municipal government. The mayor indicated that the city would carry it out for future roadworks.

According to the GSDF, the fuse was found with its fitting portion, which is about 20 centimeters across and about 3 centimeters thick. The discovered base fuse is fitted to a bomb that weighs 50 kilograms to 1 ton. The dud bomb that exploded this time has yet to be identified in terms of what type and how large. However, the government and the prefectural police-judging from the scale of the explosion and other findings-surmise that the dud bomb is likely to be a 250-kg bomb with a diameter of about 35 centimeters and an overall length of about 120 centimeters. In Okinawa Prefecture, a number of 250-kg bombs have been discovered.

A stone, which is believed to be blown off by the blast, hit and damaged the piping framework of a plastic greenhouse in a farm situated about 700 meters away from the explosion site, the Ryukyu Shimpo found.

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According to the Children's Medical Center at the Okinawa Prefectural Southern Medical Center, Jun Kohagura, a 25-year-old construction worker of Tomigusuku in the prefecture, was involved in the explosion and seriously injured in the face and chest. His aspiration and blood pressure are normal. However, the hospital says he could have complications and it therefore cannot tell anything about his condition.

Most seriously damaged is a nursing home. The blast shattered about 100 windowpanes at the facility. Its damaged portions are fixed with plywood boards for temporary repairs. The home predicts that repairs would take a month or longer.

The explosion took place at around 8:20 a.m. Kohagura was operating

a power shovel at a waterworks construction site when the explosion occurred, according to the police. In this explosion, a 75-year-old male tenant of the nursing home was slightly injured in the leg with a piece of broken glass.

(7) Okinawa International University helicopter crash information disclosure lawsuit: Supreme Court scraps (high court's) presentation order, not allowing in-camera deliberations

RYUKYU SHIMPO (Page 1) (Full)  
January 16, 2009

In connection with a lawsuit by Tetsu (?) Nagamine, 43, of Naha City seeking the disclosure of documents on Japan-U.S. talks over an August 2004 crash of a U.S. military helicopter in Okinawa International University, the Supreme Court's First Petty Bench (Presiding judge Tatsuo Kainaka) made a decision on Jan. 15 overturning the Fukuoka High Court's decision that ordered the state to present the court with part of the documents. This is the first decision not allowing de facto closed-door deliberations (in-camera deliberations) to decide whether or not to disclose (undisclosed documents) by allowing only a court to have access to undisclosed documents.

The top court's First Petty Bench scrapped the Fukuoka High Court's May 2008 decision that ordered the state to present the undisclosed parts, noting that in order for a court to make a decision from a neutral position, it is absolutely imperative to have direct access to documents. The top court also rejected Nagamine's appeal for an order for disclosing objects to be inspected, effectively dismissing his demand for information disclosure.

In May 2005, Nagamine filed a lawsuit with the Fukuoka District Court demanding that all documents be disclosed, claiming that the government's step not to disclose parts of the documents on Japan-U.S. talks was unjust. The court in the first instance dismissed his demand on the grounds that relations of trust with the United States would be harmed from a security perspective. Nagamine appealed, and the Fukuoka High Court consequently ordered the government to disclose the documents. The state then appealed to the Supreme Court.

The Fukuoka High Court ruled that in-camera deliberations should be allowed when it was essential for a court making a final decision to directly confirm documents. Meanwhile, Supreme Court First Petty Bench Presiding Judge Kainaka ruled that unless there is a clear provision, evidence cannot be examined under the in-camera formula, noting that if disclosed documents were examined in an information

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disclosure suit, that would result in a situation effectively the same as the disclosure of documents. Learning of the Supreme Court's decision, Nagamine expressed anger, saying, "It was regrettable. I wanted to see a ruling in favor of my claim." A Justice Ministry official said: "The in-camera procedure is not allowed under the Information Disclosure Law. It was natural the court made the decision in favor of the state."

(8) Japan should swiftly dispatch MSDF ships to pirate-infested waters off Somalia

SANKEI (Page 13) (Slightly abridged)  
January 16, 2009

By Satoshi Morimoto, professor at Takushoku University Graduate School

20 ships engaged in anti-piracy operations

Piracy is terrorism in the high seas. Behind the rampant hijackings by pirates in waters near Somalia is the collapse of its government. Pirates armed with rocket launchers and other heavy weapons attack commercial freighters and kidnap crewmembers for ransom. Their acts are violent and vicious. More than 100 attack cases in the Somalia waters reported last year. The number of hijacked ships reached 36, with 700 crewmembers detained.

Over 2,000 Japanese ships navigate the Somalia waters annually, with 5.5 ships a day on average. Last year, seven ships were attacked by pirates in the waters. Pirates target particularly LNG tankers because of their slow speed.

The UN has adopted four UN Security Council resolutions. Based on the resolutions, many countries have already mobilized their warships to the waters. A total of 20 naval vessels have been deployed there, but more vessels are needed there.

Japan should quickly dispatch Maritime Self-Defense Force (MSDF) vessels to guard tankers and member crew, an essential duty to secure resources. The Japan Coast Guard (JCG) (patrol ships) cannot take effective countermeasures in the pirate-infested Somalia waters. Dispatching MSDF vessels is desirable in light of exchanging information with warships and patrol planes from other countries and carrying out cooperative operations.

New legislation best, but many problems to clear lie

Other countries can send warships without taking new legal measures, but Japan needs new legislation to authorize its dispatch plan. If the government decides to dispatch MSDF vessels, the best way would be to enact a new law that includes clear rules for the MSDF to use weapons on the mission, as pointed out by Yoshiko Sakurai in the Sankei Shimbun dated Jan. 8.

Upon saying that it would take time for legal preparations, Prime Minister Aso instructed government officials concerned to study the possibility of deploying MSDF vessels on an anti-piracy mission under a provision in the Self-Defense Forces Law to order a maritime policing action. The cabinet has started drafting a bill, and the ruling parties have also begun a discussion.

In preparing new legislation, there are a host of problems to clear,

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such as a legal basis for the dispatch, standards for the use of weapons, rescue of other countries' ships, and treatment of arrested pirates. Despite such problems, I hope that the government will enact a law without fail in light of national interests.

Even if a bill authorizing the dispatch plan is submitted to the Diet in March, however, it is uncertain whether the bill would be enacted in the divided Diet. Even if new legislation is prepared, first naval vessels will not arrive at the Somalia waters before early summer due to necessary preparations.

China has already sent three warships into Somalia waters. South Korea is making legal preparations and plans to have its troops join the coalition group soon. Taiwan reportedly will also shortly dispatch warships. Japan must take action, given that a number of its freighters have sailed these dangerous waters.

Action possible with coordination among government agencies

In the Defense Ministry, discussions have been conducted on the plan to dispatch MSDF vessels, including a case of dispatch under the provision on maritime patrol action, and will soon submit a report to the defense minister. In this case, Japan will be able to take prompt action, but troops are not allowed to use weapons in arresting criminals or preventing their escape, so they will be unable to provide protection to other countries' ships. In addition, there is the question of propriety of holding in Japan trial of pirates arrested by JCG officers.

The provision on maritime patrol action is invoked for MSDF escort ships to be mobilized to cope with a situation that demands higher capability than what the JCG (patrol ships) can offer. Maritime patrol action based on the provision is taken as an extension of policing action but is categorized as exercising the right to individual self-defense. So there is no need to explain the action in relation to UNSC resolutions, international cooperation, or the Japan-U.S. alliance.

The above listed problems should be discussed in the process of deliberating on new legislation. There supposedly will be scenes in which SDF troops exchange information with troops from other countries, but the main purpose is to protect national interests, including the safety of Japanese ships and member crew. It would be wise for Japan to swiftly take measures under the provision on maritime policing action while advancing legislation work.

To take maritime policing action, relevant ministers (the chief cabinet secretary, the transport minister, the defense minister, and the foreign minister) should hold a meeting, quickly carry out coordination, and then seek the prime minister's decision. This process can be done in a day. It is hard to understand why the government remains indecisive about the dispatch of SDF troops on the mission of protecting the state and the people.

ZUMWALT